

Appl. No. 10/780,102

Amendment dated May 9, 2005

Reply to Non-Final Office Action of December 8, 2004

REMARKSClaim Objections

Claims 4, 18 and 69 were objected to for minor informalities, which have been corrected above. These objections should be withdrawn.

Claim Rejections - 35 U.S.C. §§ 102, 103

Claims 1-21, 25-27, 35, 43-54, 60-75, and 97 were rejected as anticipated by Drapier et al. U.S. No. 4,752,409. Claims 1-14, 19-27, 35-38, 40, 43-49, 60-76, and 97 were rejected as anticipated by Cilley EP 383,482. Claims 1-27, 35-39, 43-54, 60-76, and 97 were rejected as obvious over Ahmed U.S. No. 5,229,027. These rejections should not be maintained over the claims as amended.

Claims 1 and 97 have been amended to recite the preferred embodiment described at page 64, paragraph [0200] wherein the recited metal salts are combined with one or more polysulfocarboxylates. These polymers are not described or suggested in the references for use in combination with the claimed metal salts in automatic dishwashing detergents. The combination provides unexpectedly improved corrosion resistance. See page 74, paragraph [0225]. Thus the claims are now allowable over the art of record.

Double Patenting

Claims 1-97 were provisionally rejected for obviousness-type double-patenting over each of Assignee's

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copending applications Serial No. 10/752,947 or Serial No. 10/753,130 taken alone. Applicants' claims cannot be rejected under this doctrine unless the claims of the reference applications taken alone without their corresponding disclosures render the claims obvious. In neither set of reference claims is found or suggested the exclusion of certain species of zinc salts or acids recited in claims 1 and 97. Thus the provisional double-patenting rejections should not be maintained, either.

CONCLUSION

In view of the amendments and remarks above, Applicants ask for reconsideration and allowance of all pending claims. Should any fees be due for entry and consideration of this Amendment that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 01-1250.

Respectfully submitted,


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